

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Danville DIVISION

APR 12 2016

JULIA C. DUDLEY, CLERK  
BY: H. McDonald  
DEPUTY CLERK

Ricky S. Tarpley  
Patricia Ann Tarpley

Plaintiff(s),

v.

Civil Action No.: 4:16CV00019  
(To be assigned by Clerk of District

Court  
Brook Dale Senior Living  
And Lavern Morton (Kitchen Manager)

Defendant(s).

(Enter the full name(s) of ALL parties in this lawsuit.  
Please attach additional sheets if necessary).

COMPLAINT

PARTIES

1. List all Plaintiffs. State the full name of the Plaintiff, address and telephone number. Do the same for any additional Plaintiffs.

a. Plaintiff No. 1

Name: Ricky Samuel Tarpley  
Address: 153-C New Ingram Rd. Danville VA. 24541  
Telephone Number: (434) 857-6314

b. Plaintiff No. 2

Name: Patricia Ann Tarpley  
Address: 1213 North Main Street Apt. 7 Danville VA 24541  
Telephone Number: (434) 713-6620

2. List all Defendants. State the full name of the Defendant, even if that Defendant is a government agency, an organization, a corporation, or an individual. Include the address where each Defendant may be served. Make sure that the Defendant(s) listed below are identical to those contained in the above caption of the complaint.

a. Defendant No. 1

Name:

BROOKDALE SENIOR LIVING

Address:

234 HERMITAGE DR. DANVILLE VA. 24541  
(434) 327-4188

b. Defendant No. 2

Name:

LAVERN MORTON (Kitchen Manager)

Address:

234 HERMITAGE DR. DANVILLE VA. 24541

**NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES AND ADDRESSES ON A SEPARATE SHEET OF PAPER.**

Check here if additional sheets of paper are attached: ☐

Please label the attached sheets of paper to correspond to the appropriate numbered paragraph above (e.g. Additional Defendants 2.c., 2.d., etc.).

#### JURISDICTION

Federal courts are courts of limited jurisdiction. Generally, two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount of damages is more than \$75,000 is a diversity of citizenship case. Federal courts also have jurisdiction over cases where the United States is a Defendant.

3. What is the basis for federal court jurisdiction?



Federal Question



Diversity of Citizenship



Government Defendant

4. If the basis for jurisdiction is Federal Question, which Federal Constitution, statutory or treaty right is at issue? List all that apply.

DISCRIMINATION OF RACE AND DIS-ABLE

5. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party? Each Plaintiff must be diverse from each Defendant for diversity jurisdiction.

Plaintiff No. 1: \_\_\_\_\_ State of Citizenship: \_\_\_\_\_

Plaintiff No. 2: \_\_\_\_\_ State of Citizenship: \_\_\_\_\_

Defendant No. 1: \_\_\_\_\_ State of Citizenship: \_\_\_\_\_

Defendant No. 2: \_\_\_\_\_ State of Citizenship: \_\_\_\_\_

Attach additional sheets of paper as necessary and label this information as paragraph 5. Check here if additional sheets of paper are attached. ☐

#### STATEMENT OF THE CLAIM

Describe in the space provided below the basic facts of your claim. The description of facts should include a specific explanation of how, where, and when each of the defendants named in the caption violated the law, and how you were harmed. Do not give any legal arguments or cite cases or statutes. Each paragraph must be numbered separately, beginning with number 6. Please write each single set of circumstances in a separately numbered paragraph.

6. Stated that they did not hire dis-able people.

7. WAS A black male with a associate degree in cooking. Been dis-able since 1997.

8. Call wife Patricia Tarpley and told her to tell Ricky Tarpley to come back-IN AND fill out application and don't put that I was dis-able.

9. Went in to fill out new application, suppose to went to work the same day.

(10.) LAVERN MORTON told Patricia  
TARPLEY (wife) to tell RICKY TARPLEY  
to come to fill out Job Application  
And be PREPARED to go to work the  
SAME day.

Attach additional sheets of paper as necessary and label them as Additional Facts and continue to number the paragraphs consecutively. Check here if additional sheets of paper are attached. ☐

#### REQUEST FOR RELIEF

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking.

- ① FOR MENTAL ANGUISH & PUNITY DAMAGES
- ② SALARY I WOULD HAVE MADE BY WORKING PART-TIME.
- ③ FOR AT LEAST ③ YEARS (SALARY)
- ④ PROPER PAY FOR DISCRIMINATION FOR BEING DIS-ABLE.

DEMAND FOR JURY TRIAL:

☒ YES

☐ NO

Signed this 12 day of April, 2016

Signature of Plaintiff No. 1

*Richy S. Parpley*

Signature of Plaintiff No. 2

~~*Patricia A. Parpley*~~ 4/12/2016

**NOTE: All Plaintiffs named in the caption of the complaint must date and sign the complaint. Attach additional sheets of paper as necessary.**

United States District Court April 12, 2016

Complaint • Discrimination against  
the dis-able

(1) Brookdale Senior Living states they do not hire the dis-able in the Kitchen.

(2) Lavern Morton ~~was~~ called my wife for Ricky Tarpley to come back in. and filled out new application and be ready to go to work same day.

(3) But when I got their they made excuse of checking references, and check over my application. That was the second application.

(4) Charges: against the dis-able  
(2) being a black male to work in Kitchen.

Brookdale Senior Living  
432 Hermitage Dr.  
Danville, Va. 24541

April 12, 2016

To Whom it may concern,  
I, Ricky Tarpley is  
filing charges against Brookdale  
Senior Living, 234 Hermitage Drive  
Danville, Va. in the federal Court in  
Danville Va. 24541.

P.O. Box 3624  
Danville, Va 24543  
(434) 857-6314

Sincerely Yours  
Ricky I. Tarpley

Complaint:  
For Discrimination against  
the dis-able

Brookdale Senior Living  
432 Hermitage Dr.  
Danville Va. 24541

# Request for Relief

- ① Salary from time of application
- ② Punitive Damages
- ③ Mental anguish
- ④ Proper pay for discrimination for being dis-able.
- ⑤ Jury trial or best decision made by the Court.